

GOVERNMENT OF MYSORE

Food, Civil Supplies & Labour Department

Labour Dispute : Industrial Dispute between the workmen and the management of Mysore Metal Industries, Krishnarajapuram, Bangalore-36.

Award of the Additional Industrial Tribunal, Bangalore published.

Read the following papers :

(1) Letter No. 311/71-72 dated 17/18th June 1971 from Sri K.N. Patil, Presiding Officer, Additional Industrial Tribunal, Bangalore.

**BEFORE THE ADDITIONAL INDUSTRIAL TRIBUNAL,
BANGALORE**

Dated 11th June 1971

Present :

Shri K. N. Patil, LL.B.,

Presiding Officer.

A.I.D. No. 4 of 1971

I Party—

Workmen of Mysore Metal Industries, Bangalore-36, represented by the President, Bangalore District Engineering Workers Union, Arcot Srinivasachar Street, Bangalore-2.

II Party—

The Management of Mysore Metal Industries, Krishnarajapuram, Bangalore-36.

Appearances—

For the I Party :—Sri M. S. Rama Rao, President, Bangalore District Engineering Workers Union, 70, A. S. Char Street, Bangalore-2A.

For the II Party :—Sri N. S. Rajaram, Representative for Mysore Metal Industries, Krishnarajapuram, Bangalore-36.

A W A R D

The Government of Mysore by their No. FCL 254 LLD 71 (I) dated 30th March 1971 being of opinion that an industrial dispute existed between the workmen and the management of Mysore Metal Industries, Krishnarajapuram, Bangalore-36, have under Section 10(1) (d) of the Industrial Disputes Act, 1947, referred the following points of dispute for adjudication to this Tribunal :—

I. (a) Are the workmen employed by the management of Mysore Metal Industries Limited, Krishnarajapuram, Bangalore-36, justified in demanding, that :—

- (1) the recommendations of the Central Wage Board, for Engineering Industry be implemented ;
- (2) the practice of supplying two sets of uniforms to workmen at the time of Ugadi and payment of cash in lieu of the benefit of uniforms due to workmen for the years 1968, 1969 and 1970 be restored ;
- (3) the workers be paid wages to the full extent of sick leave at the credit of the workmen so as to cover the initial waiting period of two days for the E.S.I. Certificate ;

(b) If not, to what relief the workmen are entitled ?

II. (a) Are the management of Mysore Metal Industries Limited, Krishnarajapuram, Bangalore-36, justified in terminating the services of 34 casual workmen (whose names are detailed in Annexure-I) from 1st February 1971 ?

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(b) If not, to what relief are the workmen entitled ?

III. (a) the management justified in retrenching 31 permanent workers (whose names are detailed in Annexure-II) from 4th February 1971 ?

IV (a) Are the workmen justified in going on strike from 4th February 1971 ?

(b) If so, to what relief are they entitled ?

- V. (a) Does the action of the management in discontinuing the shift working from 3rd February 1971 amount to contravention of Section 9-A of the Industrial Disputes Act, 1947, read with the Rules framed thereunder?
- (b) If not, to what relief are the workmen involved entitled?"

2. After the receipt of the said Reference, it was numbered as A.I.D. No. 4/71 on the file of this Tribunal and notices were issued to both the parties. The I Party has not yet put in its Claim Statement and the case was adjourned for the claim statement of the I Party to 1st June 1971 and 10th June 1971. On 10th June 1971 both the parties filed a memo along with a settlement to the effect that the dispute has been settled and further prayed that an award may be passed between them as per the terms of the settlement which has been annexed. The terms of the settlement were admitted by both the parties. The terms are found quite reasonable and in the interest of both the parties to the dispute, I see no objection to pass an award in terms thereof as agreed to between them. Hence I pass the following award :—

A W A R D

In view of the joint memo and the settlement filed by both the parties, an Award is passed in terms of the settlement which shall be treated as part of the Award. There shall be no order as to costs.

K. N. PATIL,

Presiding Officer,

Additional Industrial Tribunal,
Bangalore.

ANNEXURE I

G.O. No. FCL 254 LLD 71(1), dated 30th March 1971

Casual Workers

Scriyuths—

1. R. Lawrance
2. Iqbal.
3. Joseph.
4. Sundar Murthy
5. Rajamani.
6. Palani.
7. Raja Bahaddur
8. Rajagopal.
9. Edwin.
10. Shaker.
11. Subbaramani.
12. Jayaram.
13. Rajanderan.
14. Shafi.
15. Dasappa.
16. Krishna.
17. Bakthavat ala.
18. Chowrappa.
19. Gurappa.
20. Chinnappa.
21. Venkatappa.
22. Rangaswamy.
23. Shapagi, Rao.
24. Krishnamurthy
25. Ramu.
26. C. Chinnaappa.
27. Anthony.
28. Raju, A.
29. Rama Reddy.
30. Krishnanpa.
31. Venkataramu.
32. Munivarma.
33. Sarasanathu.
34. Valappa Nair.

ANNEXURE II

Sriyuths—

1. K. M. Damodaran.
2. K. Srikantiah.
3. D. C. Muniyappa.
4. Abdul Rafique.
5. Chand Khan.
6. B. Muniswamappa.
7. M. Anthonyswamy.
8. V. Munithimma.
9. Muniappa.
10. Appaji.
11. Munidasappa.
12. Dodda Appaiappa.
13. V. Govindappa.
14. Sabjan.
15. S. Samuel.
16. Venkatagiri.
17. Municha.
18. M. Jayaramaiah.
19. V. Nanjundachari.
20. L. Anthonyswami.
21. Hanumappa.
22. Narasimhaiah.
23. K. Muniappa.
24. Shafiulla.
25. Ramaswamy.
26. J. Arogyaswamy.
27. Bernard.
28. Ramappa.
29. C. Anjanappa.
30. Sanjeevanpa.
31. Lakshmiah.

ANIRUDHA DESAI,

Under Secretary to Government.
Food, Civil Supplies and Labour Department.

True Copy "

K. N. PATIL,

Presiding Officer,
Additional Industrial Tribunal,
Bangalore.

By order